


STATE OF CALIFORNIA – CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
SAN FRANCISCO BAY REGIONAL WATER QUALITY CONTROL BOARD
1515 CLAY STREET, SUITE 1400
OAKLAND, CALIFORNIA 94612

APPLICATION FOR 401 WATER QUALITY CERTIFICATION
AND/OR REPORT OF WASTE DISCHARGE

(FORM R2C502-E)

1. APPLICANT'S NAME Robert J. Proutt	4. AUTHORIZED AGENT'S NAME AND TITLE (an agent is not required) Matt Richmond, Associate Principal
2. APPLICANT'S ADDRESS North Bay Wildlife Conservation And Mitigation, LLC 6243 River Road, Suite 7 Richmond, Va 23229	5. AGENT'S ADDRESS Wra, Inc. 2169-G East Francisco Blvd San Rafael, Ca 94901
3. APPLICANT'S PHONE & FAX NOS. (email optional) 804-823-8248 804-330-1777 Bproutt@Fallingspringsllc.Com	6. AGENT'S PHONE & FAX NOS. (email optional) 415-524-7481 Richmond@Wra-Ca.Com

7. STATEMENT OF AUTHORIZATION I hereby authorize <u>Matt Richmond</u> to act on my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.  ----- APPLICANT'S SIGNATURE (This must be signed by the Applicant, not the authorized agent)		DATE <u>11/27/18</u>
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PROJECT OR ACTIVITY INFORMATION		
8. PROJECT NAME OR TITLE (See Instructions.) North Bay Wetland Mitigation Bank		
9. NAME OF AFFECTED WATERBODY(IES) (See instructions.) Corda Creek; San Antonio Creek; Hydrologic Unit Code (Huc) 8: San Pablo Bay (18050002)	10. PROJECT STREET ADDRESS (if applicable) 963 San Antonio Road	
11. LOCATION OF PROJECT <u>Marin</u> COUNTY	<u>Unincorporated</u> CITY/TOWN (or unincorporated)	<u>Region 2 – San Francisco Bay</u> REGIONAL WATER BOARD REGION

12. OTHER LOCATION DESCRIPTIONS (watershed, latitude & longitude, river mile, etc. Attach map. See instructions.) The approximately 118.87-acre Project Area is located at 963 San Antonio Road, Marin County, California (latitude of 38.177067, longitude of -122.63330). The Project Area comprises Assessor's Parcel Numbers (APNs) 125-110-01 and 125-110-02 (Part 6, Figure 1 and Figure 2). The Project Area is located between private open space/rangelands owned by the Property Owner and the North Bay Highlands Conservation Bank to the south, and San Antonio Creek to the north. It is positioned within a critical corridor between numerous protected lands in the region. The Project Area is associated with Corda Creek and San Antonio Creek (Hydrologic Unit Code [HUC] 8: San Pablo Bay [18050002]). See Supplemental Information (Part 5, Section 1) for further details.

13. DIRECTIONS TO THE SITE From San Francisco, follow US-101 north through Novato to San Antonio Road in Marin County. Take exit 467 for San Antonio Road toward Silveira Ranch Road. Continue on San Antonio Road for approximately 4 miles until you reach 963 San Antonio Road. The Project Area is located approximately 800 feet south of San Antonio Road.

14. PROJECT PURPOSE (Describe the reason or purpose for the overall project. See instructions.)

The purpose of the Project is to construct a wetland mitigation bank. The bank would provide mitigation credits for impacts to wetlands and non-wetland waters regulated by Sections 404 and 401 of the Clean Water Act and the Porter-Cologne Act. Seasonal wetland re-establishment credits and seasonal wetland enhancement credits would be developed and sold as a result of the Project.

15. DESCRIPTION OF ACTIVITY AND ENVIRONMENTAL IMPACTS (Provide a full, technically accurate description of the entire activity and associated environmental impacts. See instructions.)

The Project would re-establish 7.74 acres of seasonal wetlands and enhance 14.74 acres of seasonal wetlands (see Part 6, Figure 3). A series of interconnected seasonal wetland meadows, totaling 7.74 acres, would be re-established by excavating existing uplands to intersect with seasonally high groundwater and to hold accumulated surface runoff. These features would be built on historical floodplain terraces that are subject to concentrated sheet flows during rain events. Enhancement activities would be implemented to improve the function and ecological condition of existing seasonal wetlands within the Project Area. Enhancement activities would occur by both improving native wetland vegetation through non-native species removal and native vegetation seeding, and by reducing sediment input through implementation of the Road Management Plan (Appendix C within the Development Plan; WRA 2018). See Supplemental Information (Part 5, Section 1) for further details.

The Project would result in permanent impacts to approximately 0.02 acre (546 square feet [190 linear feet]) of RWQCB jurisdictional waters of the State. The Project would also result in temporary impacts to approximately 14.78 acres of RWQCB jurisdictional waters of the State. Impacts to existing degraded seasonal wetlands would be required to re-establish high-functioning seasonal wetlands in the Project Area. Ground disturbance would be minimized to the extent possible to maintain vegetative cover in order to maximize recovery from disturbance, and to provide opportunities to establish mounds and hummocks within wet-meadow complexes, which are common of wetlands within and adjacent to the Project Area. Project impacts are depicted in Part 6, Figure 4. See Supplemental Information (Part 5, Section 2) for further details.

16. AVOIDANCE OF IMPACTS (Describe efforts to avoid and minimize impacts to waters of the State. See instructions.)

Avoidance and minimization measures that would be incorporated into the Project to minimize impacts to waters of the State are included in Part 5. Supplement, Section 3.

17. ENVIRONMENTAL DOCUMENTS (list any non-CEQA environmental documents that have been prepared for the project and/or the project site. Provide the date of the document and the name of the individual, firm, or agency that prepared it. Provide a copy of delineations and endangered species surveys. See instructions.)

- Wetland delineation of aquatic resources in the Project Area (WRA 2012; Part 11)
- Biological Resources Inventory (WRA 2013; Part 10)
- Cultural Resources Report (ESA 2013; Part 9)
- Development Plan (WRA 2018)
- Interim Management Plan (WRA 2018)
- Long-term Management Plan (WRA 2018)
- Biological Assessment (WRA 2018; Part 4)

DREDGE & FILL INFORMATION

18. The following items must be completed for each action where fill or other material will be temporarily (T) or permanently (P) discharged to a wetland or other waterbody, and where material will be dredged from a waterway (add additional pages as necessary). Provide a map showing the location of each action (See instructions):

Map Location Number	LOCATION (show on plan & indicate waterbody)	REASON FOR ACTION (See instructions)	AMOUNT AND TYPE OF MATERIAL (in cubic yards, see instructions)	SURFACE AREA OF FILL (in acres and/or linear feet; specify (T) or (P); see instructions)
N/A	vernal pool	(1) wetland re-establishment; (2) floodplain restoration work	(1) 24.2 cubic yards of cut; (2) 11.8 cubic yards of cut	(1) 0.02 acre (847 sq ft) (T); (2) 0.01 acre (415 sq ft) (T)
N/A	wetland swale	(1) haul route; (2) floodplain restoration work	(1) 25.0 cubic yards of cut/17.0 cubic yards of fill; (2) 1.6 cubic yards of fill	(1) 0.04 acre (1,541 sq ft, 427 linear ft) (T); (2) 0.01 acre (242 sq ft, 30 linear ft) (T)
N/A	wetland meadow	road/infrastructure improvement	11.0 cubic yards of fill	0.01 acre (582 sq ft) (T)

1	wetland swale	remove existing culvert/install 24-inch by 30-foot corrugated metal pipe culvert	0.4 cubic yards of fill	<0.01 acre (60 sq ft, 30 linear ft) (P)
5, 6, 7	intermittent stream	(1) remove existing culvert/install 54-inch by 40-foot long corrugated metal pipe culvert; (2) armored fill crossing (rock); (3) armored fill crossing (rock) (outside of Project Area)	(1) 1.7 cubic yards of cut/3.4 cubic yards of fill; (2) 12.7 cubic yards of cut/3.2 cubic yards of fill; (3) 0.9 cubic yard of cut/0.9 cubic yard of fill	(1) <0.01 acre (80 sq ft, 40 linear ft) (P); (2) <0.01 acre (228 sq ft, 57 linear ft) (P); (3) <0.01 acre (49 sq ft, 23 linear ft) (P)
2, 3, 4	ephemeral stream	(1) installation of grade control structure; (2) armored fill crossing (rock); (3) armored fill crossing (rock)	(1) 1.8 cubic yards of cut/2.4 cubic yards of fill; (2) 1.5 cubic yards of cut/1.5 cubic yards of fill; (3) 0.8 cubic yard of cut/0.8 cubic yard of fill	(1) <0.01 acre (98 sq ft, 32 linear ft) (P); (2) <0.01 acre (31 sq ft, 8 linear ft) (P); (3) <0.01 acre (10 sq ft, 3 linear ft) (P)

MITIGATION

19. **MITIGATION** (Describe the size, type, and functions, and values of the proposed mitigation. Describe success criteria, monitoring, and long-term funding, management, and protection of the mitigation site. Attach a Mitigation Plan if needed. See instructions and contact Regional Board staff for additional assistance.)

Impacts to RWQCB jurisdictional wetlands and non-wetland waters would result in the enhancement, preservation, and re-establishment of wetlands and non-wetland waters in the Project Area. In total, 7.74 acres of seasonal wetlands would be re-established via grading of uplands, and subsequent native vegetation seeding/planting and sediment reduction. In total, 4.97 acres of seasonal wetlands would be enhanced through native vegetation seeding and planting, 4.59 acres of seasonal wetlands would be enhanced through sediment reduction, 5.18 acres of seasonal wetlands would be enhanced through both native vegetation seeding/planting and sediment reduction. Monitoring and management components that would be employed after the Project is completed are included in Part 5. Supplement, Section 4.

CEQA

20. **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) Documents:** Indicate the status of CEQA documents prepared for the project (see instructions).

TYPE OF DOCUMENT	STATUS	DATE COMPLET-ED (or expected to be complete)	TYPE OF DOCUMENT	STATUS	DATE COMPLET-ED (or expected to be complete)
Initial Study	-Choose One-		Notice of Preparation	-Choose One-	
Draft Environmental Impact Report	-Choose One-		Final Environmental Impact Report	-Choose One-	
Negative Declaration	-Choose One-		Mitigated Negative Declaration	-Choose One-	
Notice of Categorical Exemption Exemption Number:	In Preparation	12/1/18	Notice of Statutory Exemption Exemption Number:	-Choose One-	
Other (describe)	-Choose One-				
Notice of Determination*	-Choose One-		*Note: A Notice of Determination or Notice of Exemption from the Lead Agency is required before a certification or waiver can be issued.		
Lead Agency: Marin County		Contact: TBD	Telephone: TBD		
State Clearing House Number: _____ TBD _____					

ADDITIONAL INFORMATION

21. **HAS ANY PORTION OF THE WORK BEEN INITIATED?** YES ☐ NO ☒
- IF YES, DESCRIBE THE INITIATED WORK, and explain why it was initiated prior to obtaining a permit. Indicate whether any enforcement action has been taken against the project.
- N/A

22. HAS A FEDERAL AGENCY OR THE APPLICANT PROVIDED PUBLIC NOTICE OF THIS APPLICATION FOR WATER QUALITY CERTIFICATION?

Federal Agency: YES ☐ NO ☒ Date: Type of Notification: Agency Name and Contact:

Applicant: YES ☐ NO ☒ Date: Type of Notification: Media Name and Contact:

IF PUBLIC NOTICE HAS NOT BEEN MADE, provide the name, address, and phone number (if available) of adjacent property owners, lessees, etc., and any other parties known to be interested in the project:

N/A

23. OTHER PERMITS (List other local, state or federal licenses, permits, and agreements that will be required for any construction, operation, maintenance, or other actions associated with the project. Attach copies of all draft or final documents. See instructions.)

AGENCY	CONTACT (with phone number)	TYPE OF APPROVAL	PERMIT OR ID NUMBER	DATE AP- PLIED	STATUS	DATE OF ACTION
US Corps of Engrs.	TBD	NWP 27	TBD concurrent		In Review	
US Fish Wildlife	TBD	Section 7 BA	TBD concurrent		In Review	
Ca Dept Fish Game	TBD	1602 LSAA	TBD concurrent		In Review	
-Choose One-					-Choose One-	
-Choose One-					-Choose One-	
Marin County	TBD	Grading Permit	TBD concurrent		In Review	
Other or Local Agency					-Choose One-	
Other or Local Agency					-Choose One-	
Other or Local Agency					-Choose One-	

24. OTHER PROJECTS (List and describe other projects implemented or planned that are related to the proposed project, or that may impact the same waterbody. See instructions. Add additional sheets if necessary.)

PROJECT NAME	DESCRIPTION	WATERBODY AND WATERSHED	DATE IMPLEMENT- ED/PLANNED
N/A	N/A	N/A	N/A

25. Application is hereby made for a permit or permits to authorize the work described in this application. I certify, under penalty of perjury, that this application is complete and accurate to the best of my knowledge. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

 11/27/18
SIGNATURE OF APPLICANT DATE

 12/5/18
SIGNATURE OF AGENT DATE

The application must be signed by the person who desires to undertake the proposed activity (Applicant) or a duly authorized agent if the statement in Block 7 has been filled out and signed.

Attach fee deposit (see Instructions page 7) and any additional documents and submit this application to:

SFBRWQCB
Attention: 401 Water Quality Certification
1515 Clay Street, Suite 1400
Oakland, CA 94612

Note: This form, FORM R2C502-E, was designed for electronic use as a Microsoft Word document or template. For assistance using this form or to relay suggestions on how it may be improved, please call 510-622-2330.

If you would like a standard, non-electronic form, please call 510-622-2300 and request 401 Application FORM R2C502 – Non-electronic version.